

Chairperson Scott Hickle
Vice-Chairperson Pete Bienski
Parliamentarian Nancy Hardeman



Commissioners
Michael Beckendorf
Leo Gonzalez
Bobby Gutierrez
Kevin Krolczyk
Prentiss Madison
Robert Swearingen

MINUTES

**BRYAN PLANNING AND ZONING COMMISSION
REGULAR MEETING
THURSDAY, DECEMBER 4, 2014 – 6:00 P.M.
COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING
300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

Disclaimer: *The meeting minutes herein are a summarization of meeting procedures, not a verbatim transcription*

1. CALL TO ORDER.

Chairperson Hickle called the meeting to order at 6:05 p.m.

Commissioners	Present	2014 Regular Meetings Held	2014 Regular Meetings Attended	Regular Meetings Held During Last 6 Months	Regular Meetings Attended During Last 6 Months
Michael Beckendorf	Y	18	14	8	6
Pete Bienski	Y	18	18	8	8
Leo Gonzalez	Y	18	13	8	6
Bobby Gutierrez	Y	18	17	8	7
Nancy Hardeman	Y	18	17	8	8
Scott Hickle	Y	18	17	8	7
Kevin Krolczyk	Y	18	18	8	8
Prentiss Madison	N	18	17	8	7
Robert Swearingen	Y	18	17	8	8

Staff Members Present: Mr. Cody Cravatt, Development Manager; Mr. Martin Zimmermann, Planning Manager; Mr. Matthew Hilgemeier, Staff Planner; Ms. Lauren Crawford, First Assistant City Attorney; Ms. Megan Hancock, Staff Assistant; and Mr. Paul Kaspar, City Engineer.

2. PLEDGE OF ALLEGIANCE TO THE U.S. FLAG.

Commissioners led the pledge.

3. HEAR CITIZENS.

No citizens came forward.

4. RECOGNITION OF AFFIDAVITS FILED IN RESPONSE TO STATE LAW ON DISCLOSURE OF LOCAL OFFICIAL'S CONFLICT OF INTEREST.

No affidavits were filed.

5. CONSENT AGENDA.

a. Approval of minutes from the workshop and regular meetings on November 20, 2014.

Commissioner Beckendorf moved to approve the Consent Agenda. Commissioner Gutierrez seconded the motion. The motion passed unanimously.

6. REQUESTS FOR APPROVAL OF CONDITIONAL USE PERMITS – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission has final approval; appeals may be directed to City Council).

a. Conditional Use Permit CU13-06: Ramiro Quintero

A request for approval of a Conditional Use Permit to allow an auto repair workshop in a Mixed Use District (MU-2), specifically on property located at 1015 West 28th Street adjoining the south side of West 28th Street between Kubin and Commerce Streets in Bryan, Brazos County, Texas. (R. Haynes)

Mr. Haynes presented the staff report (on file in the Development Service Department). Staff recommends approval of the request.

The public hearing was opened.

Mr. Ramiro Quintero, 1015 West 28th Street, applicant, spoke in favor of the recommendation to the Commission.

The public hearing was closed.

Commissioner Gutierrez moved to approve Conditional Use Permit case no. CU13-06, and to adopt the written staff report and analysis as the report, findings and evaluation of the Commission. Commissioner Beckendorf seconded the motion. The motion passed unanimously.

b. Conditional Use Permit CU14-15: Russell Lambert

A request for approval of a Conditional Use Permit to allow a concrete crushing operation on 70 acres of land in an Agricultural – Open (A-O) zoning district, specifically on property at 4930 Sandy Point Road, located north of Sandy Point Road between Lee Morrison Lane and the intersection of Sandy Point Road and North Harvey Mitchell Parkway/FM 2818 in Bryan, Brazos County, Texas. (R. Haynes)

Mr. Haynes presented the staff report (on file in the Development Service Department). Staff recommends approval of the request.

In response to questions, Mr. Haynes stated that the use of the property will most likely be temporary due to the nature of the operation being proposed. Mr. Haynes also stated that no buildings will be constructed on the property and that sanitation facilities will be portable. In addition, Mr. Haynes stated that there will not be any effort to take away the existing vegetation on the property.

The public hearing was opened.

Mr. Russell Lambert, Magnolia, Texas, applicant, spoke in favor of the request.

The public hearing was closed.

Commissioner Beckendorf moved to approve Conditional Use Permit case no. CU14-15, and to adopt the written staff report and analysis as the report, findings and evaluation of the Commission. Commissioner Gutierrez seconded the motion. The motion passed unanimously.

7. REQUESTS RELATED TO 5.037 ACRES OF LAND OUT OF THE J. W. SCOTT LEAGUE, A-49, LOCATED AT THE TERMINUS OF HICKS LANE AND ADJOINING THE EAST SIDE OF THE INTERSECTION OF HICKS LANE AND BARROW COURT IN BRYAN'S EXTRATERRITORIAL JURISDICTION (ETJ) IN BRAZOS COUNTY, TEXAS - A PUBLIC HEARING WILL BE HELD FOR THE PLANNING EXCEPTION (Commission has final approval; appeals to the planning exception may be directed to City Council).

a. Planning Exception PE14-02: Hidden Place Subdivision

A request for approval of an exception from the minimum 150-foot lot width standard of the Subdivision Ordinance (Bryan Code of Ordinances Chapter 110) required for lots of one acre or more and located in the City of Bryan's extraterritorial jurisdiction (ETJ), to allow two proposed new lots with lot widths of less than 150 feet in the proposed Hidden Place Subdivision. (M. Dalton)

Mr. Zimmermann presented the staff report (on file in the Development Service Department). Staff recommends approval of the request.

The public hearing was opened.

Mr. Barry Brannon, 1500 Pine Ridge, College Station, Texas, applicant, spoke in favor of the request.

The public hearing was closed.

Commissioner Beckendorf moved to approve Planning Exception case no. PE14-02, and to adopt the written staff report and analysis as the report, findings and evaluation of the Commission. Commissioner Bienski seconded the motion. The motion passed unanimously.

b. Final Plat FP14-23: Hidden Place Subdivision

Proposed Final Plat of Hidden Place Subdivision, being 5.037 acres of land out of the J. W. Scott League, A-49 in Brazos County, Texas. (M. Dalton)

Mr. Zimmermann presented the staff report (on file in the Development Service Department). Staff recommends approval of the request.

Commissioner Beckendorf moved to approve Final Plat FP14-23 and to adopt the written staff report and analysis, as the report, findings and evaluation of the Commission. Commissioner Bienski seconded the motion. The motion passed unanimously.

8. REQUESTS FOR APPROVAL OF EXCEPTIONS FROM DESIGN STANDARDS OF THE SUBDIVISION ORDINANCE (BRYAN CODE OF ORDINANCES CHAPTER 110) – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission has final approval; appeals may be directed to City Council).

a. Planning Exception PE14-03: Messina Hof Estates Subdivision

A request for approval of an exception from the minimum 150-foot lot width standard of the Subdivision Ordinance (Bryan Code of Ordinances Chapter 110) required for lots of one acre or more and located in the City of Bryan's extraterritorial jurisdiction (ETJ), to allow 11 proposed new lots with lot widths of less than 150 feet in the proposed Messina Hof Estates Subdivision on 36.50 acres of land out of Thomas M. Splane Survey, A-53, adjoining the east side of Old Reliance Road and located at the northeast corner of the intersection of Old Reliance Road and Merka Road in Bryan's ETJ in Brazos County, Texas. (M. Hilgemeier)

Mr. Hilgemeier presented the staff report (on file in the Development Service Department). Staff recommends approval of the request.

The public hearing was opened.

No one came forward.

The public hearing was closed.

Commissioner Beckendorf moved to approve PE14-03 and to adopt the written staff report and analysis, as the report, findings and evaluation of the Commission. Commissioner Gutierrez seconded the motion. The motion passed unanimously.

9. PROPOSED AMENDMENTS TO THE TEXT OF BRYAN'S CODE OF ORDINANCES CHAPTER 130 (ZONING) – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission makes recommendation; City Council has final approval).

a. Conditional Use Permits

A recommendation to the Bryan City Council regarding an amendment to the text of Bryan Code of Ordinances Chapter 130, Zoning, changing Section 130-33, Conditional Use Permits, to add an appeal process to the City Council that requires a 3/4 vote of the 7 council members. The notification shall require a mailed, using the US Postal Service, written notice at least 8.5 by 11 inches in size, folded in a standard envelope, to property owners within 500 feet of the subject property before any action relative to a conditional use permit and 30 days or more prior to the scheduled Bryan government or committee hearing. (M. Zimmermann)

Mr. Zimmermann presented the commission with an overview of the proposed amendments to the Conditional Use Permit section of the Bryan Code of Ordinances Chapter 130.

Commissioner Beckendorf moved to recommend denial of amending the text of Bryan's Code of Ordinances, Chapter 130 pertaining to Conditional Use Permits. Commissioner Gutierrez seconded the motion.

Commissioners expressed their support for the findings of the subcommittee that studied the proposals and that there appear to be no reasons to make the proposed amendments a valid suggestion.

The motion passed unanimously.

b. Changes and Amendments to Zoning Ordinance, Districts and Administrative Procedures

A recommendation to the Bryan City Council regarding an amendment to the text of Bryan Code of Ordinances Chapter 130, Zoning, changing Section 130-42, Changes and Amendments to Zoning Ordinance, Districts and Administrative Procedures, to add an appeal process to the City Council that requires a 3/4 vote of the 7 council members. The notification shall require a mailed, using the US Postal Service, written notice at least 8.5 by 11 inches in size, folded in a standard envelope, to property owners within 500 feet of the subject property before any action relative to a conditional use permit and 30 days or more prior to the scheduled Bryan government or committee hearing. (M. Zimmermann)

Discussion regarding this topic was merged with agenda item 9.a. and discussed in tandem.

Commissioner Beckendorf moved to recommend denial of amending the Bryan's Code of Ordinances, Chapter 130 pertaining to changes and amendments to zoning ordinance, districts and administrative procedures. Commissioner Gutierrez seconded the motion.

The motion passed unanimously.

10. A RECOMMENDATION TO THE BRYAN CITY COUNCIL REGARDING TWO PLANNING AND ZONING COMMISSIONER APPOINTMENTS TO THE NEWLY-CREATED DESIGN REVIEW BOARD (Commission makes recommendation; City Council has final approval).

Commissioner Hickle moved to recommend to the Bryan City Council that Commissioners Krolczyk and Gonzalez be appointed to the Design Review Board. Commissioner Bienski seconded the motion. The motion passed unanimously.

11. RECOGNITION OF OUTGOING COMMISSIONER MICHAEL BECKENDORF.

The Commission recognized Commissioner Michael Beckendorf for his service on the Commission.

12. ADJOURN.

Without objection, Chairperson Hickle adjourned the meeting at 6:56 p.m.

These minutes shall serve as the official findings of the City of Bryan Planning and Zoning Commission, as approved on this the **15th** day of **January, 2015**.

A. S. Hickle, Chairperson
Planning and Zoning Commission
City of Bryan, Texas

Martin Zimmermann, AICP
Planning Manager and Secretary to the
Planning and Zoning Commission